

8663

2011-2012 Regular Sessions

I N A S S E M B L Y

October 14, 2011

Introduced by M. of A. N. RIVERA -- read once and referred to the  
Committee on Ways and Means

AN ACT to amend the tax law and the state finance law, in relation to  
authorizing a tax check-off for gifts to the explore the cosmos New  
York fund; and to amend the vehicle and traffic law, in relation to  
authorizing the issuance of distinctive "Explore the Cosmos New York"  
license plates

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The tax law is amended by adding a new section 625-a to  
2 read as follows:  
3 S 625-A. GIFTS TO THE EXPLORE THE COSMOS NEW YORK FUND. EFFECTIVE FOR  
4 ANY TAXABLE YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND  
5 TWELVE, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE  
6 STATE GIFTS TO THE EXPLORE THE COSMOS NEW YORK FUND TO BE USED TO  
7 SUPPORT SCHOLARSHIP EFFORTS FOR PROMISING ENGINEERING STUDENTS AND THE  
8 HIRING OF FACULTY AND STAFF FOR THE ENGINEERING PROGRAMS AT THE STATE  
9 UNIVERSITY OF NEW YORK AT BINGHAMTON AND THE CITY UNIVERSITY OF NEW  
10 YORK. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL  
11 NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH INDIVIDUAL. THE COMMIS-  
12 SIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX RETURN TO ENABLE A  
13 TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTANDING ANY OTHER PROVISION  
14 OF LAW ALL REVENUES COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED  
15 TO THE GIFTS TO EXPLORE THE COSMOS NEW YORK FUND AND USED ONLY FOR THOSE  
16 PURPOSES ENUMERATED IN SECTION EIGHTY-ONE OF THE STATE FINANCE LAW.  
17 S 2. The state finance law is amended by adding a new section 81 to  
18 read as follows:  
19 S 81. EXPLORE THE COSMOS NEW YORK FUND. 1. THERE IS HEREBY ESTABLISHED  
20 IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE  
21 COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "EXPLORE THE COSMOS NEW  
22 YORK FUND".

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 2. SUCH FUND SHALL CONSIST OF ALL MONEYS RECEIVED BY THE DEPARTMENT OF  
 2 TAXATION AND FINANCE FROM THE GIFTS TO EXPLORE THE COSMOS NEW YORK FUND  
 3 PURSUANT TO SECTION SIX HUNDRED TWENTY-FIVE-A OF THE TAX LAW AND ALL  
 4 REVENUES RECEIVED BY THE DEPARTMENT OF MOTOR VEHICLES PURSUANT TO THE  
 5 PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC  
 6 LAW. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM  
 7 RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS  
 8 DEFINED IN THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO  
 9 LAW.

10 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR THE PURPOSE OF  
 11 SUPPORTING SCHOLARSHIP EFFORTS FOR PROMISING ENGINEERING STUDENTS AND  
 12 THE HIRING OF FACULTY AND STAFF FOR THE ENGINEERING PROGRAMS AT THE  
 13 STATE UNIVERSITY OF NEW YORK AT BINGHAMTON AND THE CITY UNIVERSITY OF  
 14 NEW YORK.

15 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
 16 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER  
 17 OF EDUCATION.

18 S 3. The vehicle and traffic law is amended by adding a new section  
 19 404-x to read as follows:

20 S 404-X. DISTINCTIVE "EXPLORE THE COSMOS NEW YORK" LICENSE PLATES. 1.  
 21 ON OR AFTER JULY EIGHTH, TWO THOUSAND TWELVE, ANY PERSON RESIDING IN  
 22 THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE "EXPLORE THE  
 23 COSMOS NEW YORK" LICENSE PLATE OF A DESIGN APPROVED BY THE COMMISSIONER,  
 24 COMMEMORATING THE LAUNCH OF THE LAST SPACE SHUTTLE MISSION. APPLICATION  
 25 FOR SAID LICENSE PLATE SHALL BE FILED WITH THE FORM AND DETAIL AS THE  
 26 COMMISSIONER SHALL PRESCRIBE.

27 2. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED  
 28 IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGU-  
 29 LAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS  
 30 ARTICLE, PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF  
 31 TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH ADDITIONAL  
 32 SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO SECTION FOUR HUNDRED  
 33 FOUR-00 OF THIS ARTICLE TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHI-  
 34 CLES DISTINCTIVE PLATE DEVELOPMENT FUND, ESTABLISHED BY SECTION NINETY-  
 35 FIVE-G OF THE STATE FINANCE LAW, AND SHALL BE USED FOR THE PRODUCTION,  
 36 DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE NUMBER PLATES;  
 37 PROVIDED, HOWEVER, THAT ADDITIONAL ANNUAL SERVICE CHARGES COLLECTED IN  
 38 EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF THE  
 39 EXPLORE THE COSMOS NEW YORK FUND ESTABLISHED PURSUANT TO SECTION EIGHT-  
 40 Y-ONE OF THE STATE FINANCE LAW.

41 S 4. This act shall take effect immediately.